

**Brookline Board of Appeals  
October 20, 2016, 7:10 PM  
Public Hearing  
333 Washington Street  
6<sup>th</sup> Floor Selectman's Hearing Room**

***Board Members Present*** – Mark Zuroff (Chairman), Jonathan Book, Chris Hussey

***Staff Present*** –Ashley Clark (Planning Dept.)

**70 Princeton Road:** (2016-0065)

**Proposal:** Construct a second story addition

**Zoning District:** S-15 SINGLE-FAMILY

**Board Vote:** Relief request granted, subject to conditions

**105 Salisbury Road** (2016-0064)

**Proposal:** Construct a kitchen addition

**Zoning District:** S-7 SINGLE-FAMILY

**Board Vote:** Relief request granted, subject to conditions

**7:10PM**

**70 Princeton Road:** (2016-0065) Construct a second story addition

Board Chairman Zuroff opened the hearing and called case #2015-0065 70 Princeton Road and reviewed standard hearing procedure.

Attorney Allen waived the reading of the public hearing notice.

Attorney Allen (333 Washington Street) stated that 70 Princeton Road is located in the S-15 District and is located at the intersection of Princeton Road and LaGrange Street. Attorney Allen described the changes in the neighborhood in regards to recent additions and newly constructed homes, a number of which have second stories, on Princeton Road.

Attorney Allen discussed Section 5.09.2.j of the Zoning Bylaw stating that the proposed addition has been designed to be consistent with the style of the existing dwelling. Mr. Allen stated that the size of the addition is in proportion to that of the existing home and the scale of the finished space correlates to that of the surrounding homes. The existing FAR is .22 and the allowable FAR is .25. Attorney Allen stated that the proposal seeks to increase the FAR to .29 which may be granted by special permit.

Attorney Allen stated that under Section 5.22.3.b.1, a special permit may be granted for an exterior addition that is less than or equal to 20% of the permitted gross floor area. He stated that the Petitioners' proposal falls below the 20% permitted under Section 5.22.3.b.1 of the Zoning Bylaw. Attorney Allen stated that the Petitioners are also cited under Section 5.70 of the Zoning Bylaw which requires that counterbalancing amenities be provided. Attorney Allen stated that the Petitioners will submit a landscaping plan, and are considering adding some fruit trees for the review and approval of the Assistant Director of Regulatory Planning.

Attorney Allen then discussed special permit relief under Section 9.05 of the Zoning By-Law.

Chairman Zuroff asked whether the triangular shape of the lot affected the noncompliant side yard setback. Attorney Allen stated that the condition was preexisting nonconforming and that the shape of the lot necessitates relief.

There was a discussion regarding which of the lot sides were front, rear and side. Mr. Hussey inquired about the rear yard dimension between the addition and rear yard lot line. The property at 70 Princeton Road has two front yards and may choose between which lot line is the rear and which is the side. Mr. Hussey reviewed the site plan setback dimensions. It was determined that the patio at the rear is not finished space or being converted so it is not included in the setback dimension.

Mr. Allen stated that everything was included in FAR.

Chairman Zuroff asked whether anyone would like to speak in favor of, or in opposition to the proposal. There was no public comment.

Chairman Zuroff called upon Zoning Coordinator, Ashley Clark, to deliver the Planning Board recommendation. Ms. Clark stated that the Planning Board is supportive of the proposed addition for this single-family dwelling. The addition is in proportion with the home and will add needed livable space for the owners. Similar (as well as much larger and imposing) additions have been added to homes of similar style across the street and nearby. The addition will not be out of character and will increase the functionality of the home.

Therefore, the Planning Board recommends approval of the architectural plans by I.S. Hernandez Design Services, Inc. dated 9/15/2016 and the site plan by Antonino Land Surveyors, Inc. dated 12/24/2016, subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit final floor plans and elevations indicating all salient dimensions, windows, roof plan, and materials including modifications to the front façade subject to the review and approval of the Assistant Director of Regulatory Planning and a final review of the Planning Board
2. Prior to the issuance of a building permit, the applicant shall submit a landscape plan indicating all counterbalancing amenities.
3. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision:  
1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final floor plans and elevations stamped and signed by a registered architect or engineer; and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

Chairman Zuroff requested that Ms. Clark deliver the findings of the Building Department. Ms. Clark stated that the Building Department has no objection to the relief as requested and felt that the relief requested is minimal and falls below the allowable Section 5.22 special permit bonus. The Building Department therefore will work with the Petitioners to ensure compliance should relief be granted.

In deliberation, Board Member Hussey stated that he felt the conditions for a special permit were met. Chairman Zuroff and Board Member Book concurred.

**Unanimous grant of the relief as requested subject to the conditions stated for the record.**

**105 Salisbury Road** (2016-0064) Construct a kitchen addition

Board Chairman Zuroff called case 2016-0064 forward and reviewed standard hearing procedure.

Ms. Chang, owner of 105 Salisbury Road, waived a reading of the record and introduced her husband, Mr. Chang and Brandon Halliday of Halliday Construction. Ms. Chang stated they are seeking FAR relief for 157 square feet. Ms. Chang described the design review process with the Planning Board and stated they received unanimous approval.

Ms. Chang described the proposal as adding a single story addition in rear of side yard. Ms. Chang noted they have 11 letters of support including two direct abutters. Ms. Chang stated the plans for

review minor FAR relief, already over FAR in an S-7 zone added counter balancing amenities including landscaping around the property.

Mr. Hussey stated the site plan leaves out a critical piece of information, the rear yard dimension to the new addition. Ms. Chang stated they are not proposing to go any further back. Mr. Hussey stated that the proposal does go into the rear setback. Mr. Hussey stated he wanted the surveyor indicate what the dimension is to confirm they do not need relief. Mr. Hussey stated as part of the condition would like a surveyor to indicate that dimension. Mr. Zuroff agreed they need a new certified survey plot plan indicating the distance from the rear property line to the new addition.

Ms. Clark stated she would amend the final condition for the site survey to include the rear lot dimension.

Mr. Chang stated keeping the look of the 1910 house, matching windows roof, very consistent with current and neighbors.

Chairman Zuroff asked for public comment in favor of the application.

Ms. Chang was in support of the proposal.

Mr. Zuroff called upon Zoning Coordinator, Ashley Clark to deliver the opinion of the Planning Department. Ms. Clark stated The Planning Board is not opposed to this proposal for partial demolition of the west elevation to allow for a modest kitchen expansion. The design is consistent with the existing house and will not impact the streetscape. The relief requested minimal as it is within the 120% FAR allowed by special permit and no setback relief is required.

Therefore, the Planning Board recommends approval of the plot plan submitted by Clifford Rober and dated 1/29/2016, and the elevations and modified floor plans submitted by Halliday Construction Group and dated 7/14/2016 and 9/16/2016 subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit a final site plan, elevations showing the finish of the crawl space to grade with lattice, and floor plans subject to the review and approval of the Assistant Director for Regulatory Planning.
2. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision:  
1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final floor plans and elevations 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.

Board Chairman Zuroff called upon Ashley Clark to deliver the opinion of the Building Department. Ms. Clark stated the Building Department has no objection to this request. The relief requested utilizes very little of the allowed 120% bonus. The proposal also complies with all the required setbacks. If the board finds this proposal meets the requirements for the grant of a special permit, the Building Department will work with the petitioner to ensure compliance.

### ***Board Deliberation***

Mr. Zuroff stated he appreciated the support from the neighbors and felt the proposal was minimal and well within parameters of the special permit requirements.

Mr. Book agreed with Mr. Zuroff, and stated it was worthy of relief.

Mr. Hussey concurred with Mr. Zuroff and Mr. Book.

**Unanimous grant of the relief as requested subject to the amended conditions below:**

1. Prior to the issuance of a building permit, the applicant shall submit a final site plan indicating yard dimensions including the rear yard setback distance to the proposed addition, elevations showing the finish of the crawl space to grade with lattice, and floor plans subject to the review and approval of the Assistant Director for Regulatory Planning.
2. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision:  
1) a final site plan stamped and signed by a registered engineer or land surveyor; 2) final floor plans and elevations 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.